REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claims 29-33 are pending in the present application. Claims 1-28, 38 and 40 have been canceled by the present amendment. Claims 1-33, 38 and 40 were rejected under 35 USC 103(a) as being unpatentable over Shiota et al. in view of Applicants' art described on page 2, lines 11-15 and page 13, lines 14-22 of the specification (Applicants' art).

With respect to the rejection of the claims under 35 USC 103(a) as noted above, in an effort to advance prosecution of the present application, Applicants have attempted to simplify the pending issues by canceling claims 1-28, 38 and 40, and leaving claims 29-33 pending. Referring first to independent claim 33, this claim relates to a computer program product that comprises a computer readable storage medium having a computer programmed thereon which were loaded into a computer causes the computer to manage workflow in a photofinishing lab by performing the steps of: associating images received at the lab with identification data, with the images being received from multiple customer orders; and sending each image and it's associated identification data to a processing unit, wherein the processing unit creates batches of digital images from the multiple customer orders, and the images in each batch have similar identification data, such that a batch of images may include images from different customer orders. The processing unit further determines an output sequence of each of the images to output devices based on at least the associated identification data.

The claimed management of the workflow in the lab further comprises the steps of: providing an image product based on the image at an output device of the output devices which is appropriate for the image product; and combining the image product from the output device with a related original order from the original orders using the associated identification data. Claim 33 further requires that the identification data is product/service data indicative of a type of image product for the image, such that the images are modified in accordance with the product/service data and the output device to which the image is to be sent.

The reference to Shiota et al. is not believed to show or suggest the specific combination of features required by claim 33, including the concept of combining an image product from an output device with a related original order. This is also supported by the Decision from the Board of Appeals and specifically, the paragraph bridging pages 7 and 8 of the Board of Appeals Decision mailed June 18, 2004, which concludes that the reference to Shiota et al.

does not teach the feature of combining an image product from an output device with a related original order as claimed.

The modifying reference relied upon relates to Applicants' art and specifically, the discussion on page 2, lines 11-15 and page 13, lines 14-22 of the specification. It is noted that page 2, lines 11-15 relates to the concept of pre-scanning images that are passed to an optical printer and does not discuss or suggest the combination of features required by claim 33, including the concept of combining an image product from an output device with a related original order using associated identification data. This part of Applicants' art also does not show or suggest the further features of claim 33 with respect to determining an output sequence of the images in combination with the remaining features of claim 33. Page 13, lines 14-22 of Applicants' art discusses the concept of analyzing images with respect to a database of reference digital image data. There is no discussion or suggestion on page 13, lines 14-22 (Applicants' art) with regard to a computer program product that manages workflow to at least perform the step of combining an image product from an output device with a related original order using associated identification data in the manner as required by claim 33.

Therfore, even if combinable, it is not believed that Shiota et al. and Applicants' art show or suggest the combination of features required by claim 33. Further, it is not clear from the Office Action as to the teachings of either Applicants' art or Shiota et al. with regard to the specific feature of claim 33 as discussed above. Additionally, absent Applicants' disclosure, one having ordinary skill in the art would not have combined Shiota et al. with Applicants' art, since neither reference shows or suggests the combination of features of claim 33, including the concept of combining an image product from an output device with a related original order.
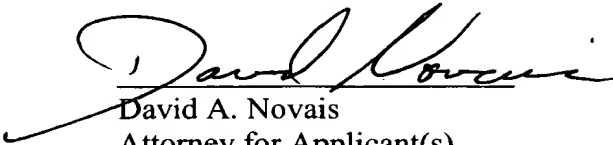
Accordingly, claim 33 is believed to be allowable over the applied references.

Claim 29 relates to a photofinishing method for managing workflow in a lab which also requires the feature of combining an image product from an output device with a related original order from original orders using associated identification data, in combination with further features such as determining an output sequence of the images to output devices based on the identification data. For the reasons noted above with regard to claim 33, claim 29 is also believed to be allowable over the applied references.

Claims 30-32 depend from claim 29 and set forth unique features of the present invention which are also not believed to be shown or suggested in the applied references. Therefore, these claims are also believed to be allowable.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 29-33 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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